GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Treasuries and Accounts Department – Disciplinary Proceedings initiated against Sri.Sk.Khaleel Saheb, Sub Treasury Officer(Retd) -Inquiry Conducted – Show Cause notice issued – Further Action -Dropped– Orders –Issued.

FINANCE (ADMN.I) DEPARTMENT

G.O.Rt.No.1699 dt:12-07-2016

Read the following:

Ref:
1. Charge Memo.No. K(I)2/365/2008, dt.21-10-2008 of the DTA, A.P., Hyderabad.
2. Written Statement of Defence of Sri Sk. Khaleel Saheb, STO(u/s),dt:12-11-2008.
3. Proceedings No. K(I)2/365/2008, dt.23-01-2009 of the DTA, A.P., Hyderabad.
4. Inquiry report dt:23-04-2011.
5. Show cause Notice No.1136/05/A1/Admn.III/2008, dt:19-4-2014 of Finance (Admn.III) Department.
6. Explanation of the Charged Officer,dt:12-05-2014.
7. Interim Orders of APAT in OA No.4422/2014, dt:11/8/2014.
8. Lr. No. K(I)2/365/2008, dt. 09-12-2014 of the DTA, A.P., Hyderabad
9. Govt Lr.No. 1566/18/A2/Admn.I/2014,dt:15-04-2015 and 29-10-2015.
10. Lr No.403/RT/1/2015, dt:08/05/2015 and 21/11/2015 of APPSC, Hyd.
11. Orders of APAT in O.A.No. 4422 of 2014, dt.26.08.2015.
12. Lr. No. K(I)2/365/2008, dt. 19-12-2015, of the DTA, A.P., Hyderabad.
13. Govt Lr.No. 1566/18/A2/Admn.I/2014,dt:30-05-2016.
14. Lr No.403/RT/1/2015, dt:27-06-2016 of the APPSC, Hyd.

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ORDER

Sri Sk. Khaleel Saheb, STO, while working as STO, Podalakur, Nellore District was trapped by ACB on 04.01.2008, on the allegation of having demanded and accepted a bribe amount of Rs. 1,000/- from a complainant for doing official favour. As such he was kept under suspension. He was acquitted from criminal case vide.CC No.12/2008,dt:11-05-2012 by the Special Judge for SPE&ACB Cases,Nellore and the Criminal Appeal No.885/2012 filed by the DG,ACB,A.P., Hyderabad against Sri. Sk.Khaleel Saheb, S.T.O.(Retd.), Podalkur, Nellore District is still pending in APHC.

(PTO)

2. In the reference first read above, parallelly, departmental action also initiated against Sri. Sk.Khaleel Saheb, S.T.O.(U/s), Podalkur, Nellore District by framing following two charges:

I. *The Government Servant has committed grave misconduct in as much as he failed to obtain prior permission from the competent authority for acquiring the properties in the name of his wife Smt.Ammanni.*

II. *The Government Servant failed to render a full and true account for the cash of Rs.5160/- found in his possession during the trap proceedings on 04-01-2008 and thereby violated the provisions of APCS (Conduct) Rules,1964.*

3. In the reference second read above, the individual has submitted his written statement of defence, which is not convinced, accordingly a regular Inquiry Officer was appointed in the reference third read above. The Inquiry Officer, in the reference fourth read above, has submitted her report in which
the two charges were held proved. Meanwhile the individual was reinstated into service vide DTA procgs. No.K(I)2/365/2008,dt.21-04-2010. Subsequently, he retired from service on attaining Superannuation on 30-06-2010.

4. In the reference fifth read above, Government have issued a show cause notice to Sri. Sk.Khaleel Saheb, S.T.O.(Retd), Podalkur, Nellore District proposing the 5% cut in pension permanently under Rule 9 of A.P. Revised pension Rules,1980.

5. In the reference sixth read above, the individual has submitted his representation in which he reiterated the earlier explanation .

6. Meanwhile, he approached APAT in O.A.No.4422 of 2014 for release of all pensionary benefits. The Hon'ble APAT in their interim orders dated.11-08-2014, has directed to release all pensionary benefits, after deducting 5% cut in pension as proposed in Govt.Memo.No.1136/05/ A1/Admin.III/2008,
dtd.19-04-2014. The Government after following all due procedures, decided to impose 5% cut in pension permanently.

7. The APAT in O.A.No.4422 of 2014 in its orders dt.26.08.2015 have pronounced as follows:

"In view of the acquittal of the applicant in the Trial Court as there is a delay of seven years in concluding the proceedings and there is no explanation in the counter affidavit with regard to the delay and latches in concluding the proceedings, the charge memo No.K(I)2/365/2008, dt.21.10.2008 of DTA and Government memo No. 1136/05/A1/ Admn.III/2008, dt. 19.04.2014 is liable to be set aside and ordered that they are set aside and directed to release all pensionary benefits to the individual with in a period of three months from the date of receipt of copy their order."

(Contd….P.3)

8. Government re-examined the matter and after following all due procedures again and decided to release the all pensionary benefits duly dropping the further action in departmental proceedings against Sri Sk.Khaleel Saheb, STO(Retd) as per orders of APAT in O.A.No.4422 of 2014, dt.26.08.2015 subject to final orders in Criminal Appeal No.885/2012 filed by the ACB against the individual in the APHC.

9. Government, therefore, hereby order to release all pensionary benefits duly dropping the further action in departmental proceedings against Sri Sk.Khaleel Saheb, STO(Retd) as per orders of APAT in O.A.No.4422 of 2014,dt.26.08.2015, subject to final orders in Criminal Appeal No.885/2012 filed by the ACB against the individual in APHC. A decision on suspension period of the retired officer will be taken after outcome of criminal appeal in the High Court of Hyderabad.

10. The Director of Treasuries and Accounts, A.P., Hyderabad shall take necessary action accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

MUDDADA RAVI CHANDRA
SECRETARY TO GOVERNMENT (Expr)

To
The individual through the DTA,A.P., Hyderabad,
The Director of Treasuries and Accounts, A.P., Hyderabad
Copy
To
The Secretary, APPSC,A.P.,Hyderabad
The Accountant General,A.P.,Hyderabad
The DD,DT,Nellore
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER